

Message Text

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51

ACTION L-02

INFO OCT-01 EUR-12 ISO-00 SNM-02 SCA-01 JUSE-00 /018 W

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R 101113Z MAR 75

FM AMEMBASSY MADRID

TO SECSTATE WASHDC 1251

LIMITED OFFICIAL USE MADRID 1607

L/M/SCA

DEPT FOR S/NM

E.O. 11652: N/A

TAGS: CPRS, PFOR, SP (ROSSI, FRANCOIS & VARA PUERTAS, BENJAMIN)

SUBJ: EXTRADITION - STATUS REPORT

REF: STATE 49652

1. FRANCOIS ROSSI: IN NOTE DATED MARCH 6TH MFA REPEATED TO EMBASSY CONTENTS COMMUNICATION FROM MINISTRY OF JUSTICE RE STATUS ROSSI CASE AS FOLLOWS: "IN REFERENCE TO YOUR COMMUNICATION OF LAST JANUARY 23RD, IN WHICH YOU ENCLOSED PHOTOCOPY OF NOTE VERBALE NO. 39 OF THE EMBASSY OF THE UNITED STATES OF AMERICA, I WANT TO POINT OUT TO YOU THAT, ACCORDING TO WHAT SECTION NO. 5 OF THE PROVINCIAL COURT OF JUSTIC OF MADRID COMMUNICATES TO US, IN THE CASE NO. 70 OF 1973 OF INSTRUCTION COURT NO. 23 OF THIS CAPITAL, PIECE 33, AGAINST FRANCOIS ROSSI, AS AUTHOR OF TWO OFFENSES OF PUBLICLY USING AN ASSUMED NAME, SENTENCE WAS PASSED ON JUNE 17TH, 1974, BY WHICH HE WAS CONDEMNED TO TWO PENALTIES OF THREE MONTHS MAJOR IMPRISONMENT AND FINES OF 10,000 PESETAS, WHICH SENTENCE IS NOT FINAL, AS THE CASE IS PENDING CASSATION APPEAL AT THE 2ND TRIBUNAL OF THE SUPREME COURT."

2. OVER PAST FEW MONTHS EMBASSY HAS SENT SEVERAL NOTES MFA SEEKING INFORMATION STATUS ROSSI CASE AND IN LATE FEBRUARY EMBASSY OFFICERS SPOKE OFFICIALS MFA EXPRESSING CONCERN OVER
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DELAYS IN CASE AND ALSO OUR CONTINUING KEEN INTEREST ROSSI'S

EXTRADITION. MFA AS WELL AS EMBOFF CONFIRMED THAT MINISTRY OF JUSTICE WELL AWARE U.S. EXTRADITION REQUEST. LEGATT ALSO IN VERY RECENT TOUCH CHIEF INTERPOL MADRID WHO ASSURED HIM THAT ROSSI STILL INCARCERATED AND THAT IT HIGHLY UNLIKELY HE COULD ESCAPE EXTRADITION TO U.S. COPY OF MARCH 6TH NOTE WITH ACCOMPANYING ENGLISH TRANSLATION AND MEMO OF CONVERSATION BETWEEN EMBOFFS AND MFA OFFICIALS WILL BE POUCHED MARCH 10TH. REQUEST DEPARTMENT PASS FOREGOING INFORMATION TO JUDGE MISHLER AND ALSO TO U.S. ATTORNEY THOMAS PUCCIO, BROOKLYN, N.Y. (TEL 212-596-5300) WHO TELEPHONED EMBASSY MARCH 4TH REGARDING PROGRESS ROSSI CASE.

3. BENJAMIN VARA PUERTAS: EMBASSY AWAITING RECEIPT STATUS REPORT RE CASE FROM MFA IN RESPONSE TO INFORMAL QUERIES WHICH IT MADE TO OFFICIALS FEBRUARY 27TH AND WILL ADVISE DEPARTMENT PROMPTLY WHEN INFORMATION RECEIVED.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION
Control Number: n/a
Copy: SINGLE
Draft Date: 10 MAR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ellisoob
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975MADRID01607
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750083-0501
From: MADRID
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750367/aaaachzh.tel
Line Count: 78
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 STATE 49652
Review Action: RELEASED, APPROVED
Review Authority: ellisoob
Review Comment: n/a
Review Content Flags:
Review Date: 13 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <13 JUN 2003 by SmithRJ>; APPROVED <28 OCT 2003 by ellisoob>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: EXTRADITION - STATUS REPORT
TAGS: CPRS, PFOR, SP, US, (ROSSI, FRANCOIS), (VARA PUERTAS, BENJAMIN)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006